

### AMENDMENTS TO THE CLAIMS

1. (Currently amended) A method of ~~using~~ controlling the wait time ( $t_w$ ) between the start of transmission of successive packets of known packet size (P) of a content to be transmitted to achieve a target bandwidth ( $B_T$ ) during the transmission comprising the steps of:

selecting a target bandwidth ( $B_T$ ) sought to be achieved during the transmission;

computing a wait time ( $t_w$ ) between the start of successive packets of the transmission using the algorithm

$$t_w = \frac{P}{B_T} \quad ; \text{ and}$$

controlling the transmission of the packets ~~using~~ so that there is a residual time (t) between the end of transmission of one packet and the start of transmission of the next packet to establish the wait time ( $t_w$ ).

2. (Currently amended) The method as claimed in claim 1 wherein the ~~computed wait~~ residual time  $t_w$  ~~t~~ that is used is rounded to a time unit.

3. (Original) The method as claimed in claim 2 wherein the rounding to the time unit is accomplished by a counter.

4. (Currently amended) The method as claimed in claim 1 ~~further comprising the step of~~ 5 wherein the time  $t_{used}$  is determined by:

determining the start time  $t_1$  of transmission of a packet;

determining the end time  $t_2$  of transmission of the packet, and

determining the time used  $t_{used}$  in transmitting the packet as  $t_2 - t_1$ .

5. (Currently amended) The method as claimed in claim 4 1 wherein the step of controlling further comprising ~~comprises~~ the steps of:

- (a) determining ~~the~~ a time used ( $t_{\text{used}}$ ) in the transmission of a packet;  
and
- (b) ~~determining a residual time (t) as  $t_{\text{used}} - t_w$ ;~~
- (e) waiting the residual time  $t$  between the end of transmission of one packet to the start of transmission of the next packet.

6. (Currently amended) The method as claimed in claim 5 further comprising the step of repeating steps (a), and (b) ~~and (e)~~ for each packet transmitted.

7. (Currently amended) A method as in claim 5 1 wherein the controlling of the transmission of the packets with a residual time  $t$  is controlled by between successive packets is comprised of:

determining a value of start time  $t_{\text{start}}$ , of sending a packet and a current time  $t_{\text{now}}$ ;

performing a loop operation of:

- (a) computing a time  $t_{\text{elapsed}} = t_{\text{now}} - t_{\text{start}}$ ,
- (b) comparing  $t_{\text{elapsed}}$  to the residual time  $t$  and transmitting the next packet when the value of  $t_{\text{elapsed}} \geq t$ .

8. (Original) The method as claimed in claim 7 further comprising the steps of computing an error value  $\delta = t_{\text{elapsed}} - t$  and subtracting the value  $\delta$  from a later supplied value of  $t$ .

9. and 10. Cancelled.

11. (Original) The method of claim 1, including the additional step of selecting the known packet size ( $P$ ) of the packets to be transmitted.

12. (Original) The method of claim 1 wherein the known packet size (P) is provided by an application.

13. (Currently amended) Apparatus for ~~using the wait time ( $t_w$ ) between~~ controlling the transmission of successive packets of known packet size (P) of a content to be transmitted to achieve a target bandwidth  $B_T$  during the transmission comprising:

a computer including

a program to control transmission of a content in packets of data;

means to input and receive parameters of the size (P) of the packets to be transmitted and of the desired target bandwidth ( $B_T$ ); and

~~processing means to calculate a wait time ( $t_w$ ) between successive packets of the transmission using the algorithm~~

~~$t_w = \frac{P}{B_T}$  and~~

control means to successively transmit the packets ~~with the~~ to have a residual time (t) between the end of transmission of one packet and the start of transmission of the next successive packet to achieve a wait time  $t_w$  between the packets

such that  $t_w = \frac{P}{B_T}$ .

14. (Currently amended) Apparatus as in claim ~~13~~ 15 wherein said ~~computer further~~ first means comprises:

means for determining the start time ( $t_1$ ) of transmission of a packet;

means for determining the end time ( $t_2$ ) of transmission of the packet, and

means for determining the time used ( $t_{used}$ ) in transmitting the packet as  $t_2 -$

$t_1$ .

15. (Currently amended) Apparatus as in claim ~~14~~ 13 wherein said computer further comprises:

first means for determining the time used ( $t_{\text{used}}$ ) in the transmission of a packet;

~~second means for determining a residual time  $t$  as  $t_w - t_{\text{used}}$ ; and~~

wherein said control means operates based on the determined  $t_{\text{used}}$  to wait the residual time  $t$  between the ~~start~~ end of transmission of one packet to the start of transmission of the next packet.

16. (Currently amended) Apparatus as in claim 15 wherein said ~~first and second determining means~~ operates ~~to determine the residual time  $t$  for each packet transmitted and~~ said control means operates to wait the residual time  $t$  between the start of transmission of one packet to the start of transmission of the next packet based on computing  $t_w - t_{\text{used}}$ .

17. (Currently amended) Apparatus as in claim ~~16~~ 13 further comprising means for controlling the residual time  $t$  by

determining a value of start time  $t_{\text{start}}$ , and a current time  $t_{\text{now}}$

performing a loop operation of:

(a) computing a time  $t_{\text{elapsed}} = t_{\text{now}} - t_{\text{start}}$ , and

(b) comparing  $t_{\text{elapsed}}$  to the residual time  $t$  and transmitting the next packet when the value of  $t_{\text{elapsed}} \geq t$ .

18. (Original) Apparatus as in claim 17 further comprising means for computing an error value  $\delta = t_{\text{elapsed}} - t$  and subtracting the value  $\delta$  from a later supplied value of  $t$ .

19. (Currently amended) Apparatus as in claim 13 wherein said control means further comprises a counter that operates on a periodic basis to measure the ~~wait~~ residual time  $t_w$   $t$ .

20. (Currently amended) Apparatus as in claim 13 wherein said computer operates said control means to compute the wait residual time  $t_w$  based on other measured times.